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MEMORANDUM ENDORSED

June 6, 2022

Via ECF

Honorable Gregory H. Woods
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Chiaka Oguadinma
21-Cr.-314 (GHW)

Dear Judge Woods:

A change-of-plea hearing is scheduled for June 14, 2022, for Chiaka Oguadinma. For purposes of the plea only, Mr. Oguadinma requests that he be permitted to participate remotely. He resides in Houston, Texas, and travel expenses will place a strain on his financial resources.

I have discussed the requirements of a plea with Mr. Oguadinma and I am confident that proceeding remotely would not impede the Court's ability to determine whether his plea is knowing and voluntary or prejudice any of the parties. The Government does not object.

Respectfully submitted,

/s/ Stephen Turano

Stephen Turano

Application denied without prejudice. In order to conduct a plea proceeding in a felony case by remote means, the CARES Act requires, among other things, that the district court find "for specific reasons that the . . . plea in that case cannot be further delayed without serious harm to the interests of justice" CARES Act § 15002(b)(4); *see also U.S. v. Leroux*, 20-2184-cr (2d Cir. June 3, 2022). This application does not provide sufficient grounds for the Court to make that finding. The issue is not, as this application seems to assume, merely whether the remote proceeding would "impede the Court's ability to determine whether his pl[ea] is knowing or voluntary or prejudice any of the parties." Congress has required more. Any renewed application should proffer a factual basis upon which the Court might make the required finding.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 72.

SO ORDERED.

Dated: June 6, 2022
New York, New York


GREGORY H. WOODS
United States District Judge